

REMARKS

By this Amendment claims 6-17 have been canceled and replaced by new claims 18 and 19, with claim 18 corresponding to claim 16 written in independent form and claim 19 corresponding to claim 17 written in independent form. Entry is requested.

In the outstanding Office Action the examiner has withdrawn new claims 11-17 from consideration because they are allegedly directed to different species of the invention than prior claims 1-5 (new claims 6-10 correspond with original claims 1-5), and since evaluation of claims 1-5 was previously accomplished, claims 11-17 can be withdrawn as directed to a "non-elected invention."


The inventors request that this withdrawal of claims 11-17 from examination be reconsidered and withdrawn, and new claims 18 and 19 entered and examined. In this regard, the inventors do not believe that the claims are directed to different invention species, but simply define different preferred features of their invention, and even if species are present, they believe that after the filing of an RCE they should be given the opportunity to select which specie they want evaluated.

The examiner's prior art rejection of claims 6 and 10 based on Hickox in view of Feldmann and claims 7-9 based on Hickox in view of Feldmann and Gath¹ cannot apply to claims 18 and 19 as none of these patents would suggest using a moulded structural part to make direct contact with a battery in a hearing aid.

Respectfully submitted,

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¹ All patents summarized in the Amendment of August 7, 2006.

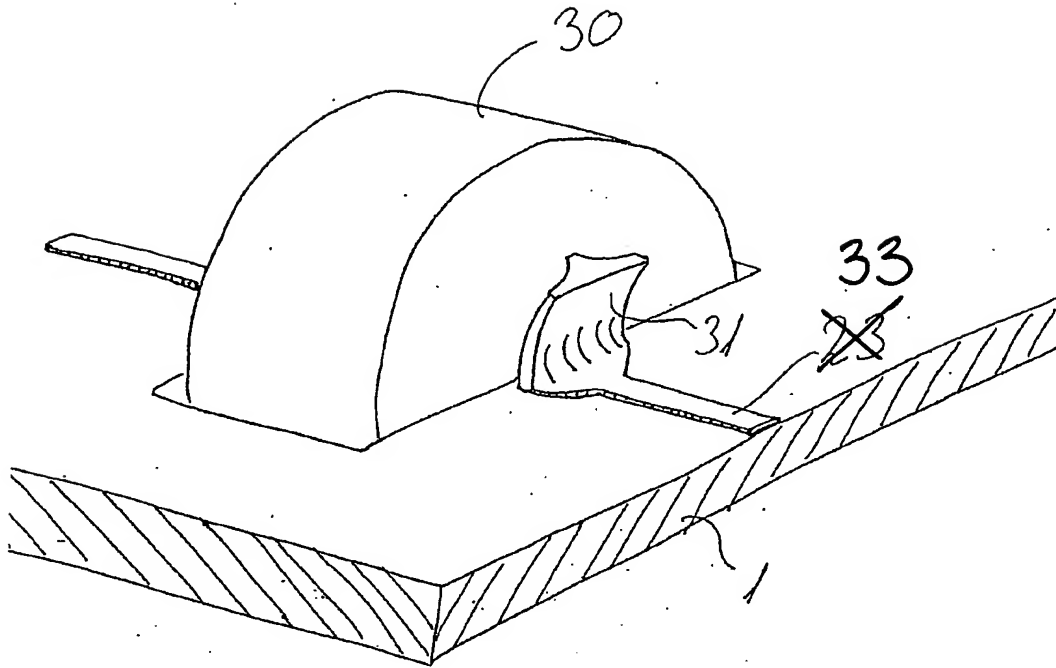


fig. 4

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